

EXHIBIT G

03-3621ARooks Depos 04-12-14 (Sea Star).txt

1 IN THE UNITED STATES DISTRICT COURT
2 MIDDLE DISTRICT OF FLORIDA
3 JACKSONVILLE DIVISION

4 CASE NO.: 3:04 CV-146-V-99HTS

5 SEA STAR LINE, LLC.,
6 a limited liability company,

7 Plaintiff,

8 vs.

9 EMERALD EQUIPMENT LEASING,
10 INC., a corporation,

11 Defendant.
12

13 Deposition of ANDY ROOKS, taken on behalf of
14 the Defendant, on Tuesday, December 14th, 2004,
15 beginning at 11:59 a.m., pursuant to Renotice of Taking
16 Deposition in the above-entitled action, at the offices
17 of Powers Reporting, 220 East Forsyth Street,
18 Jacksonville, Florida, as recorded by Jennifer
19 Alligood, a Court Reporter and Notary Public in and for
20 the State of Florida at Large.
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(904)355-4077 Fax: (904)355-5153

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1 A P P E A R A N C E S

2 TIMOTHY ARMSTRONG, Esquire

3 Armstrong & Mejer
2600 Douglas Road

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21 matter?

22 A Yes.

23 Q So when the captain finishes the voyage, what
24 does he do with that manifest that he has?

25 MR. ARMSTRONG: Object to the form.

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1 A He provides it to the appropriate, again,
2 agencies, Customs. Other than that, I don't know what
3 he does with his copy. I don't know.

4 Q Do you know if a copy gets retained by Sea
5 Star?

6 MR. ARMSTRONG: Object to the form.

7 A I don't know.

8 Q Okay.

9 MR. ARMSTRONG: Are you talking about in
10 paper form?

11 MR. PFEIFFER: Yes.

12 Q If we were to try to find out where the paper
13 form of the manifest is, that was actually on the
14 vessel during the voyage, who would I go to ask that
15 question?

16 A Our documentation coordinator.

17 Q And that is Margie Davis?

18 A Yes.

19 Q And with regard to the load manifests in this
20 case, that were produced in this case, are the load
21 summaries?

22 A Yes.

23 Q Who prepared those specifically?

24 A Those were prepared by George Cervone and
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9 A 03-3621ARooks Depos 04-12-14 (Sea Star).txt
 Dry.
10 Q what does complete mean?
11 A I don't know what complete means.
12 Q And the container is the container number?
13 A The identifying mark on the container, yes.
14 Q Okay. And under chassis it says?
15 A It gives the chassis number. The first three
16 there that you see that say own, the customer brought
17 in their own chassis to deliver that container.
18 Q Does that chassis then get loaded onto that
19 ship?
20 A Not in Horizon's case, they are not -- they
21 don't have the capabilities of loading containers and
22 chassis. They just load containers on their ships.
23 Q So when the chassis comes in, it gets
24 physically -- when the chassis and container come in
25 together behind a truck, the container gets physically

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1 removed and placed on the ship?
2 A That's correct.
3 Q Okay. The VESVOY?
4 A That's the vessel voyage.
5 Q Do you know what HUM stands for?
6 A Humacal.
7 Q One of Horizon's boats?
8 A Actually the Humacal was one of the Naverias
9 boats.
10 Q How about mode, what does that mean?
11 A I'm not sure what mode means, HH.
12 Q How about POD?

- 13 A 03-3621ARooks Depos 04-12-14 (Sea Star).txt
 Port of discharge.
- 14 Q And SJU under POD is?
- 15 A San Juan.
- 16 Q San Juan, weight?
- 17 A That's the weight of the -- of the commodity
- 18 in the container.
- 19 Q In pounds?
- 20 A Yes.
- 21 Q Seal, seal, CO1.
- 22 A If it's loaded it's the -- and we have the
- 23 information, it's the actual seal number that's on the
- 24 container.
- 25 Q On the lock on the --

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- 1 A On the lock on the rear doors, correct.
- 2 Q Tran number?
- 3 A I don't know what tran number is.
- 4 Q CO?
- 5 A I'm not sure what CO is, but possibly a
- 6 trucking company that brought the piece of equipment
- 7 in.
- 8 Q Booking?
- 9 A That's the booking number that we used to
- 10 book the freight.
- 11 Q Okay. Would that be a Sea Star booking
- 12 number or would that be a --
- 13 A That's a Sea Star booking number.
- 14 Q Enter number and exit, well, I guess that's
- 15 time in and time out?
- 16 A Time in -- time -- that's bad time. Yeah,

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17 that's time in and time out.

18 Q In military time?

19 A Yes.

20 Q And where it says in the upper right-hand
21 corner on page two, it says GAT011R, do you know what
22 that means?

23 A No, I do not.

24 Q How about the V2.2?

25 A No, I do not.

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1 Q And the total of the report says daily CTRCHS
2 report?

3 A Yes.

4 Q What does that mean?

5 A Daily container/chassis report.

6 Q Okay. Would all of the pertinent information
7 relative to any of the containers be entered into the
8 IQ Ship or would they just be the Emerald containers?
9 So, in other words, do you use IQ Ship for Emerald
10 transactions only or for your Global and Universe as
11 well?

12 A We use IQ Ship for any piece of equipment
13 that came in and out of our system.

14 MR. PFEIFFER: I'm going to ask the court
15 reporter to mark Rooks' 11.

16 (Rooks' Exhibit Number 11 was marked for
17 identification.)

18 Q Can you identify what's been marked as Rooks'
19 11.

20 A Yes, this is a type of equipment tracing

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21 report dated April 29th of 2002.

22 Q And have you ever seen that report?

23 A Yes.

24 Q Do you know who prepared that report?

25 A Yes.

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1 Q Who did?

2 A George Cervone.

3 Q Is this the report that we discussed earlier
4 in your deposition --

5 A Yes, it is.

6 Q -- that Mr. Cervone brought with him --

7 A Yes, it is.

8 Q -- on the 29th?

9 A Yes, it is.

10 Q And this is the report that he gave to Sea
11 Star?

12 A Yes.

13 Q What's your understanding of what this report
14 represents?

15 A Again, this is one of many, many pages of
16 every active piece of equipment that was in the
17 Naverias system as of April 29th, '02. The unit
18 numbers, type, status, location, dates.

19 Q And, again, when you say this is a portion of
20 the reports --

21 A That's correct.

22 Q -- do you know if Sea Star gave this report
23 to anybody?

24 A Other than we provided it as part of the --